



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: 11/8/04 Name: Andrew D. Stover, Reg. No. 38,629 Signature: [Signature]

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kato, et al.

Appln. No.: 10/041,693

Filed: January 7, 2002

For: **WAIST ELASTIC SYSTEM WITH
IMPROVED ELASTIC DECAY
PROPERTIES FOR A TRAINING PANT**

Attorney Docket No: 659-921

Examiner: Snow, Bruce Edward

Art Unit: 3738

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment and Reply to July 8, 2004 Office Action.
- ☒ Petition and Fee for Extension of Time (37 CFR § 1.136(a)) (in duplicate).
- ☒ Return Receipt Postcard.

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☒ An extension fee in an amount of \$110.00 for a one-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | 11 | Minus | 20 | 0 | x \$9= | | | x \$18= | 0 |
| Indep. | 8 | Minus | 3 | 5 | x 44= | | | 5 x \$88= | \$ 440 |
| First Presentation of Multiple Dep. Claim | | | | | +\$150= | | | + \$300= | |
| | | | | | Total | \$ | | Total | \$ 440 |

Fee payment:

- ☒ A check in the amount of \$440.00 for five (5) additional independent claims is enclosed.
- ☒ A check in the amount of \$110.00 for a one-month extension of time is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

11/8/04

Respectfully submitted,



Andrew D. Stover (Reg. No. 38,629)